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3/9/16

March 9, 2016

VIA ECF Hon. Paul A. Engelmayer United States District Court Southern District of New York 40 Foley Square, Room 2201 New York, NY 10007 Granted. Plaintiff's oppositions briefs are due March 15, 2016, and defendants' reply briefs are due March 30, 2016.

SO ORDERED:

HON. PAUL A. ENGELMAYER

Charles, Sr. v. Levitt, et al. UNITED STATES DISTRICT HIDGE

15 CV 9334

Re:

Charles, Sr. v. Pollock, et al. (Related Case) 15 CV 9758

Dear Judge Engelmayer:

I represent the Plaintiff, Wayne Charles, Sr., in one of the above-captioned matters, Charles, Sr. v. Levitt, et al., 15 CV 9334. I am writing to request an extension of time for Plaintiff to file its brief in opposition to the motion to dismiss by Defendant Glenda Charles and its brief in opposition to the motion to dismiss by Defendants Levitt & Kaizer, Richard Levitt, Nicholas Kaizer, and Lee A. Pollock. The opposition briefs are due Thursday, March 10, 2016. I respectfully request an extension of time to file till Tuesday, March 15, 2016. The reason I am requesting the extension is that this Sunday I was forced to seek treatment for conjunctivitis (attached note from Excel Urgent Care of Astoria, dated March 6th, 2016), and although I began treatment that very day, the condition was not completely healed until today. The condition made it very difficult to read and draft papers on a number of days which I had precisely set aside to work on the two opposition briefs.

There have been no previous requests for an extension of time. Counsel for Defendants Levitt & Kaizer, Richard Levitt, Nicholas Kaizer, and Lee A. Pollock have informed me that they do not object to my request for additional time to submit any opposition to the motion to dismiss, but because they had made commitments based upon the Court's briefing schedule, they would condition their consent upon additional time (until March 30th, 2016) being afforded for their reply. Counsel for Defendant Glenda Charles joined in that position, adding that, since he has plans to be out of town on business/vacation from March 17 – 22, 2016, he would need to have the reply date extended to March 30th, 2016 as well.

Thank you for your attention to this matter.

Respectfully submitted,

J.A. Sanchez-Dorta

cc: Lee A. Pollock, Esq. (via ECF)

Pollock & Maguire

Peter Dawson (via ECF) Pollock & Maguire

Paul T. Shoemaker, Esq. (via ECF) Greenfield, Stein & Senior LLP

David Bruce Diamond, Esq. (via ECF)
Office of the New York State Attorney General

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